

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DAVID T. KASTRITSIOS,

Plaintiff(s),

08 Civ 5345 (NRB)

-against-

PLAINTIFF'S REPLY TO  
DISCOVERY DEMANDS

EMILY DiCENSO and RAFFAELE DiCENSO,

Defendant(s).

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**COUNSEL:**

**PLEASE TAKE NOTICE** that pursuant to the requirements of Rules 26 and 34 of the Federal Rules of Civil Procedure, and in response to the Request For Production Of Document & Things and Demand For Expert Witness dated July 28, 2008 as served by defendants, plaintiff alleges upon information and belief, as follows:

**DEMAND FOR ATTORNEYS APPEARING IN THIS ACTION**

The names of the parties to this action are captioned above. The names and addresses of the attorneys appearing for said parties are listed below.

**DEMAND FOR STATEMENTS**

Plaintiff is not in possession of any statement, written or oral, transcribed or recorded, signed or unsigned, given by or on behalf of any answering defendant serving this notice. Plaintiff is in possession of a Police Accident Report which reflects that the defendant driver "states while driving behind a SUV and looking at his GPS he went through a red light as V1 was in the intersection and V1 struck V2".

**DEMAND FOR ACCIDENT WITNESSES**

The only witnesses presently known to plaintiff are the parties hereto, the passengers in the defendants' vehicle, and one Bruno Schiemsky. The address of Mr. Schiemsky at the time of the accident and at present are unknown to plaintiff. Upon information and belief, at some time subsequent to the accident Mr. Schiemsky moved from the United States to Kenya. At the time of the accident Mr. Schiemsky's cellular telephone number was (646) 479-4795. The responding police officers are post-accident witnesses.

**DEMAND FOR ACCIDENT REPORTS**

Plaintiff is not in possession of any accident reports prepared in the regular course of business. Notwithstanding that the police accident report is a public document, a copy of the same is annexed hereto.

**DEMAND FOR PHOTOGRAPHS -**

Attached hereto are color copies of 10 photographs depicting plaintiff's injuries and color photocopies of 19 photographs of plaintiff's motorcycle.

**DEMAND FOR NO-FAULT AUTHORIZATION**

Inapplicable.

**DEMAND FOR PHYSICIANS' REPORTS**

Attached hereto is the operative report of E. ATHANASIAN, M.D. dated May 5, 2008.

**DEMAND FOR MEDICAL/HOSPITAL AUTHORIZATIONS**

Attached hereto are authorizations enabling you to obtain the records of the following health care providers:

Bellevue Hospital Center  
1<sup>st</sup> Avenue & 27<sup>th</sup> Street  
New York, NY 10016

Bellevue Hospital Center  
Department of Radiology  
1<sup>st</sup> Avenue & 27<sup>th</sup> Street  
New York, NY 10016

Edward A. Athanasian, M.D.  
Hospital For Special Surgery  
523 East 72<sup>nd</sup> Street, 4<sup>th</sup> Floor  
New York, NY 10023

Sonal Shah Parr, M.D.  
Hospital for Special Surgery  
535 East 70<sup>th</sup> Street  
New York, NY 10021

Hospital for Special Surgery  
535 East 70<sup>th</sup> Street  
New York, NY 10021

Hospital for Special Surgery  
Department of Radiology  
535 East 70<sup>th</sup> Street  
New York, NY 10021

Hospital for Special Surgery  
Department of Physical Therapy  
535 East 70<sup>th</sup> Street  
New York, NY 10021

**DEMAND FOR MEDICAL/HOSPITAL AUTHORIZATIONS FOR PRE-EXISTING CONDITIONS**

\_\_\_\_\_ Inapplicable.

**DEMAND FOR EMPLOYMENT RECORDS/LOST EARNINGS**

\_\_\_\_\_ Attached hereto is an authorization enabling you to obtain a copy of plaintiff's employment records from IBM Global Services.

**DEMAND FOR EMPLOYMENT RECORDS CONCERNING DISABILITIES**

\_\_\_\_\_ Attached hereto is an authorization enabling you to obtain a copy of plaintiff's employment records from IBM Global Services.

**DEMAND FOR COPIES OF BILLS, CANCELLED CHECKS AND RECEIPTS**

Attached hereto are copies of bills in plaintiff's possession relating to medical/hospital treatment for the injuries sustained in the occurrence.

**DEMAND FOR COLLATERAL SOURCE AUTHORIZATION**

Attached hereto is an authorization enabling you to obtain a copy of plaintiff's collateral source information from Empire Blue Cross/Blue Shield, 11 West 42<sup>nd</sup> Street, New York, New York 10036, under ID# IPB 88350958.

**DEMAND FOR COPIES OF AFFIDAVITS OF SERVICE**

Attached hereto are copies of the Affidavits of Service relating to service of the Summons and Complaint with respect to this action.

**DEMAND FOR INDEX NUMBER RECEIPT FROM SUPREME COURT**

Inapplicable.

Dated: Hauppauge, New York  
August 19, 2008

Yours, etc.

RAPPAPORT, GLASS, GREENE & LEVINE, LLP  
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BY:\_\_\_\_\_

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